

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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OUMAROU BOCOUM,

*Plaintiff,*

– against –

DAIMLER TRUCKS NORTH AMERICA  
LLC AND ZF ACTIVE SAFETY AND  
ELECTRONICS US LLC,

*Defendants.*  
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Cause No. 1:17-cv-07636-  
JPC-BCM

**CERTIFICATION OF  
EXHIBITS IN SUPPORT  
OF DEFENDANTS’ JOINT  
OPPOSITION OF  
PLAINTIFF’S MOTION TO  
EXCLUDE NICHOLAS J.  
DURISEK**

I, Philip R. McDaniel, of full age, being duly sworn according to law, upon my oath,  
depose and say:

1. I am an attorney at law in the State of Texas and a partner of the law firm of  
Weinstein Tippetts & Little LLP, attorneys for Defendant ZF Active Safety and Electronics  
US LLC (“ZF ASE”). I have been admitted pro hac vice in the above-referenced matter.

I have direct knowledge of all matters stated herein.

2. The below listed exhibits are true and accurate copies of the documents they  
purport to be:

- **Exhibit 1** – Nicholas Durisek’s Expert Report dated January 31, 2020
- **Exhibit 2** – Affidavit of Nicholas J. Durisek, Ph.D., P.E. dated March 15, 2021
- **Exhibit 3** – Enlarged version of Figure 22 from Nicholas Durisek’s Expert Report
- **Exhibit 4** – Enlarged version of Figure 4 from Affidavit of Nicholas Durisek
- **Exhibit 5** – Excerpts from the deposition of Nicholas Durisek on December 10,

2020

- **Exhibit 6** – Excerpts from the deposition of Michael Tucker on August 29, 2019
- **Exhibit 7** – Excerpts from the deposition of Jason Welch on August 15, 2018
- **Exhibit 8** – Robert McElroy’s Expert Report dated November 17, 2015
- **Exhibit 9** – Excerpts from the deposition of Robert McElroy on November 12, 2020
- **Exhibit 10** – Nicholas Durisek’s speed calculations from his expert file, produced to plaintiff’s counsel prior to Durisek’s deposition
- **Exhibit 11** – Excerpts from the deposition of plaintiff Oumarou Bocoum on February 27, 2019
- **Exhibit 12** – GPS data for the subject vehicle produced by Pionna Transport LLC’s Safety Manager Ray Salazar at his deposition and additional GPS Information within Nicholas Durisek’s expert file (produced to plaintiff’s counsel prior to Durisek’s deposition)
- **Exhibit 13** – Excerpts from the deposition of Jose Gonzalez on May 21, 2019

3. The above statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

**WEINSTEIN TIPPETTS & LITTLE  
LLP**

Attorneys for Defendant ZF Active  
Safety and Electronics US LLC

/s/ Philip R. McDaniel  
Philip R. McDaniel (pro hac vice)

Dated: March 15, 2021